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UNITED STATES PATENT AND TRADEMARK OFFICE

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Board of Patent Appeals and Interferences

DEC 1 5 2006

Marshall, O'Toole, Gerstein, Murray & Borun

6300 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6402 Appeal No:

2006-3180

MARSHALL GERSTEIN

Appellant: Application No:

Mark Nixon et al. 09/510,053

Hearing Room: В

Hearing Docket: B

Hearing Date:

9:00 AM

Hearing Time: Location:

Wednesday, January 10, 2007

Madison Building - East Wing 600 Dulany Street; 9th Floor Alexandria, Virginia 22313-1450

NOTICE OF HEARING CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquires, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

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In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: X HEARING ATTENDANCE CONFIRMED () HEARING ATTENDANCE WAIVED Signature of Attorney/Agent/Appellant

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see.

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